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ABSTRACT

New Zealand's Official Information Act (OIA) has been in force for almost two decades. During these years, there has been little research published about how citizens use the legislation or how agencies have responded to requests made under the Act. The aim of this project is to produce basic research data from a range of agencies to quantify use made of the Act and to examine what other request information sample agencies hold. The study uses the Act as a survey instrument to produce a high response rate to the questionnaire and to produce qualitative and quantitative data about the request process. The results show that only a minority of surveyed agencies records the number of requests they receive of the category of information requesters, e.g., news media and political parties. Compared to the detailed information recorded by the Ombudsmen, there appears to be little consistency of request record keeping across sampled agencies. This record-keeping gap has implications for the ability to either assess the effectiveness of the OIA against its original purpose or to review it in the context of government information policy. A copy of the survey instrument is appended. (Contains 77 references.) (Author/MES)

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Requests made under the Official Information Act 1982: a survey at the agency level.

by

Dave Andrew Clemens

Submitted to the School of Communications and Information Management,
Victoria University of Wellington
In partial fulfilment of the requirements for the degree of Master of Library and Information Studies.

February 2001

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Abstract

The Official Information Act (OIA) has been in force for almost two decades. During these years there has been little research published about how citizens use this legislation, or how agencies have responded to requests made under the Act. The aim of this project is to produce basic research data from a range of agencies to quantify use made of the Act, and to examine what other request information sample agencies hold.

The study uses the Act as a survey instrument to produce a high response rate to the questionnaire and to produce qualitative and quantitative data about the request process. The results show that only a minority of surveyed agencies records the number of requests they receive or the category of information requesters, e.g. news media and political parties. Compared to the detailed information recorded by the Ombudsmen there appears to be little consistency of request record keeping across sampled agencies. This record keeping gap has implications for our ability to either assess the effectiveness of the OIA against its original purpose, or to review it in the context of government information policy.

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> An Act to make official information more freely available, to provide for proper access by each person to official information relating to that person, to protect official information to the extent consistent with the public interest and the preservation of personal privacy, to establish procedures for the achievement of those purposes, and to repeal the Official Secrets Act 1951.
>
> (New Zealand Government, 1996, p. 407)

Chapter 1. Introduction

New Zealand's Official Information Act (OIA) was passed in 1982 following the report and recommendations of the Danks Committee (1981) and the introduction of similar legislation in Australia. Heavy use of the Act was anticipated by Open Government supporters (and some officials) and the Information Authority and Ombudsmen were charged with monitoring and adjudicating this landmark law. While media coverage and complaint figures published by the Ombudsmen suggest use of the OIA is high, any published research on use of the OIA is insufficient to inform wider public debate or more specialised government policy development.

This study measures the responses of a range of government agencies to requests made under the Act. The identification of request-related information held by agencies also suggests areas for future OIA research. The study is weighted toward the 'core' agencies, ie Ministries and Departments, and some comparisons are also made to smaller numbers of State Owned Enterprises (SOEs) and other Crown entities. The findings are of particular value and interest to journalists, records managers, bureaucrats, and freedom of information activists and researchers.

Rationale

The scarcity of published information about OIA requests isn't the only obvious problem. The few research based attempts to delve into the workings of the Act have employed interviews and voluntary questionnaires to describe, or provide opinions of, selected central and local government agencies and officials (Brown, 1995; Poot, 1997). This focussed approach has produced some rich detail and description but has done little to provide adequate data to compare OIA access across the wider public sector or to offer statistically useful comparison to published Ombudsmen reports. These reports occasionally focus on complaints made against particular agencies, and usually provide general statistics on the number of complaints received from various groups and the nature of the complaints.

The lack of public sector wide OIA data has attracted comment both from overseas (e.g. Hazell, 1989) and domestically (Morrison, 1997). While the statistical gap is acknowledged by these commentators, as recently as 1997 an official government review of the OIA saw fit to ignore it (see New Zealand. Law Commission, 1997).

This study is supportive of the open government objectives of the OIA, and is grounded in the belief that freedom of government information is a generally desirable and positive force. This belief links strongly to participatory democratic theory (see Dahl, 1989; Kester, 1998; Roberts, 1999a) and to theories of public administration, law and economics that focus both on increased opportunities for citizen participation, and on government accountability and transparency (e.g. Brown, 1995, chap. 3). Freedom of Information (FOI) supporters may distrust governments and wish to maintain a watchdog role, or perhaps want to become more involved or informed in the democratic process. Whatever the individual motivation, there seems to be widespread acceptance of the need for effective FOI laws.

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Objective

The objective of this study is to discover if agencies are creating and maintaining OIA request information, and to describe what request information, if any, is held. The study surveys central government agency level practices and fills in some of the existing information gaps currently occupied by anecdote and limited case study research.

A key research outcome is the production of a sample describing OIA request information. This can help determine if agencies hold accessible information on:

- which agencies receive requests
- the number of OIA requests received per annum
- the category or type, of groups of requesters
- the outcome of OIA requests
- the type of requests received
- the creation and holding of metadata about requests
- whether agencies have formal rules or manuals describing OIA request practice and procedures

In attempting to disclose this information some OIA records management practices have been surveyed. The ability of agencies to respond to the survey instrument within the statutory 20 working days was also measured.

Research questions

The questions fall into some distinct categories, ie:

a). Which groups of people are using the OIA?

b). What are the results or outcomes of use of the OIA?

c). What agency records are kept relating to a) and b)?

No hypothesis has been ventured here but the author has previously asked two government agencies for simple details regarding OIA requests. The descriptions varied considerably and raised the possibility of a broad range of practices under (*c*) - keeping of agency records.

Limitations

The main limitation with the proposed questionnaire was the potential for a low, or slow, response rate. This was mitigated by the legislative requirement of agencies to respond within 20 working days but it was feared that such a response would amount to little more than acknowledgement of receipt of the survey, or agency requests for clarification on information required. The vast majority of responses were received comfortably inside 20 working days.

The possibility of inadequate or non-centralised record keeping was of concern as it could hinder the ability of agencies to provide informative responses (see National Archives of New Zealand. Statutory Regulatory Group, 1998). The pilot study results were a crucial indicator of whether agencies hold sufficient request data to warrant proceeding with the main sample survey in the same form. Similarly the absence of an OIA request co-ordinator or designated staff member to answer or collate responses may have been a limiting factor. The decision to sample rather than survey the entire OIA agency population was decided by the size of the population and the intention to focus on core government agencies.

Delimitations

The selection of the sample was the main identified delimitation. The sample was purposive and covered a range of State Owned Enterprises, government departments, Ministries and other agencies. The design and wording of the survey instrument was

essential to achieving a useful response, both in terms of speed and content. By careful use of survey questions, focussing on agency information reasonably expected to be held in some retrievable form, the possibility of request refusal or delay was minimised. The possibility of charges being applied by responding agencies for extended work or collation is a limiting factor. Requesting a large amount or complex data could increase the likelihood of time based charges. Some questions were limited to discovering what descriptive records are held rather than requesting the primary data or record content.

The wording of the covering letter could also be important in determining the amount of co-operation offered and speed of response. An offer of sharing results with agencies is one possible way of softening the formality of an OIA request.

Definitions

Most of the following definitions draw heavily on the wording of the Act.

Official Information	Any information held by a Department, organisation or Minister of the Crown in 'his' official capacity.
Information	Deliberately undefined by New Zealand Official Information Act it potentially covers all manner of documents, records (and even personal recollections) regardless of physical format (Eagles, Taggart, & Liddell, 1992, p. 20)
Record	Electronic or paper based recording.
Complaint	Any complaint lodged with the Ombudsman regarding an OIA request.
Delay	Time exceeding the 20 day limit.

Held Retrievable information.

Freedom of Information The free access of citizens to government information.

Unpublished information is used to describe information that is not available in a published form, although the terms 'published' and 'publication' are increasingly problematical to define (see Cullen & Dorner, 1999). It excludes here information produced for sale, information publicly available via libraries or the internet, and other *disseminated* information.

The passing of the OIA created much expectation and enthusiasm for FOI in New Zealand. Little of this energy has been channelled into ongoing evaluation of the success, or otherwise, of implementation of the legislation at an agency level. This study is an provides a reality check on existing practice using the OIA itself as a tool for discovering agency request data.

Chapter 2. Literature review.

"(Sir) Arnold pointed out that Open Government is a contradiction in terms. You can be open – or you can have government" (Lynn & Jay, 1984, p. 21).

'Freedom of information' (FOI) is a term used to describe a range of public information access laws, goals and activities. It is generally lauded as being a positive goal, or political force, and is commonly enshrined in government legislation, regulation and guidelines.

But what of the actual practice and implementation of FOI? More specifically, for the purpose of this study, does available OIA data allow us to evaluate how effectively FOI legislation and FOI practice provide access to government information, or might Sir Arnold have prevailed? The theoretical framework of FOI is examined here prior to a more detailed examination of the New Zealand literature. Comparison with overseas practice reveals some gaps or areas for additional research in this country.

Scope

Specialised international legal literature has been omitted from this review, and the role of libraries, with their focus on published government information, has not been covered. Overseas material published before 1990 has generally been excluded, as has information about countries without FOI laws. The majority of material included is deliberately taken from journals and electronic sources with publication currency in mind. As much relevant New Zealand material as possible has been included to help shed light on the local situation while the wider literature is heavily biased toward the United States, and Canada where the 'mother lode' of available FOI research and material is to be found. Economic perspectives are included only where they relate both to FOI and to unpublished material.

The focus of this review is on government information with literature about private sector FOI deliberately excluded. Access to personal information, as legislated in New Zealand's Privacy Act, is not covered.

Theoretical framework

FOI literature is linked to a range of academic disciplines and theoretical perspectives. Lawyers, economists, policy analysts, journalists, technology gurus, librarians, archivists and 'open government' activists are some of the main interested players offering a mixture of opinion, criticism and theory.

Access to government information as a basic human right, is covered by Roberts (1999) in his 'Overview of the issues' paper. He links such access to people's right to participate in the governing of their country, and to the concept of a system of government based on the informed consent of citizenry. This focus sees access to information rights implicit in Articles 19 and 21 of the UN Declaration of Human Rights (Roberts, 1999a, p: 1). Article 19 comes closest to this rights based approach in stating that "Everyone has the right to...seek, receive and impart information and ideas through any media and regardless of frontiers" (United Nations General Assembly, 1948). To balance this point Roberts' cautions against this rights based argument being overstated as a rationale for FOI laws. He acknowledges that most FOI laws are used to access information directly affecting the individual requester or organisation, not policy decisions and information relating to the wider community. In some jurisdictions up to 90% of recorded requests fall into this 'personal information' category (see McDonagh, 1996).

Rouse's review of the literature on government information makes the observation that the review, or study of it, leads the reviewer "almost inevitably" toward national information policy formulation (1994, p. 4). Her work usefully highlights some of the debate and tensions existing between FOI philosophies, such as free and democratic

access to information, and equity of access versus arguments for government information as a saleable commodity.

In his analysis and commentary on information policy Hernon compares New Zealand's policy and practice to the United States (Hernon, 1995, 1996). His description of emerging New Zealand discussion and policy papers as 'conceptually weak' and 'lacking in understanding about information policy' raise interesting questions about the existence of a theory or a policy vacuum in this country, and this point will be followed up below. His concluding comment that "selling [government] information and publications on a large scale inhibits public access and is contrary to democratic values" (1996, p. 226) certainly helps place his own position. Given the economic focus of debate, purchase agreements, and cost recovery arguments in New Zealand in recent years, Hernon's analysis might have moved further to address the role of various economic theories in contributing to the weaknesses he describes. While his treatment of access to unpublished government information is relatively light, it raises the key question of the limiting role of Crown Copyright on free access to, and dissemination of, information.

In a recent assessment of the effectiveness of New Zealand government web sites Cullen echoes some of Hernon's concerns, identifying "a major gap in government policy emerging from this research that urgently needs to be addressed" (Cullen, 2000, p. 256). Whether the recently announced e-government initiatives, under the leadership of the State Services Commission, are able to help fill this gap remains to be seen (see http://ssc.govt.nz/documents/egovt.htm).

Roberts identifies the trend toward commodification of government information as one not anticipated when many FOI laws were drafted (Roberts, 2000a, p. 315). The shift in some government policies toward information as a 'corporate asset' rather than as a public resource, or good, can see agencies aggressively market information in pursuit of

revenue. Governments can then deny FOI access to this information by pointing out that that it now widely available – for purchase. Branscomb (1994) describes some of the U.S. commodification debate including the legal case where it was decided that the complete requested MEDLARS database, recorded on computer tapes, was not an agency record for the purpose of their FOI laws. The dispute was essentially over the right of private companies to exploit and on-sell government databases for profit. In most Commonwealth countries existing Crown copyright law would probably stifle such a challenge at its first stage. The idea of the data in Statistics New Zealand's SuperMap or in the National Library's Index New Zealand being requested and considered for release under the OIA would be outside the bounds of current debate.

New Zealand

Most of the theoretical and philosophical perspectives above are grounded in an explicit belief in open government, participatory democracy and government accountability. At a more practical level the Act also affects the way we access and receive information, either directly from government or filtered through a variety of other sources. Even to the layperson the OIA has had an impact. Almost daily the media announces that information has been obtained under the Act, with newspaper and radio journalists the most public about using this means of access (Satyanand, 1998).

There is also a small but growing amount of published commentary about the Act from the requesters viewpoint e.g. (Ansley, 1994; Cropp, 1997; Du-Fresne, 1996; Hager, 1996; McLoughlin, 1993) and a few special seminars and proceedings e.g. (Archives and Records Association of New Zealand, 1996; Legal Research Foundation, 1997). The government has also contributed to the discussion and debate with published reviews, annual reports, guidelines and some statistics (see Gilling, 1998; New Zealand. Law Commission, 1997; New Zealand. State Services Commission, 1995; New Zealand. Office of the Ombudsmen).

However Government statistics about the actual use of the Act by non-complainants appear to be non-existent following the demise of the Information Authority, and it's annual report to Parliament (Hazell, 1989; New Zealand. Information Authority, 1988, personal communication with Ministry of Justice official, October 23rd 1998). For a few years from the passing of the Act, the Authority published Departmental returns on 'reviewable decisions' – decisions which declined, wholly or in part requests for official information. Collation of these statistics was discontinued in 1987 with the Authority citing reorganisation of the state sector and creation of SOEs as making comparison with previous years problematical (New Zealand. Information Authority, 1988, pp. 3-4). The Office of the Ombudsmen commented directly on the cessation of the Information Authority in 1988 with the perceptive words "If there is one lesson from the Authority's existence, it is that the process of open government cannot succeed on an ongoing-basis without some form of continuing official oversight at a policy level" (New Zealand. Office of the Ombudsmen, 1988, p. 26).

The only published statistics from the Office of the Ombudsman relate to complaints received by the Ombudsman from frustrated requesters. These complaints mostly relate to delays, deletions, refusals and charges, and are produced annually in the Office's Annual Report (see New Zealand. Office of the Ombudsmen, 1999, 2000).

This statistical void represents a fundamental oversight and lack of evaluative planning by government. It is difficult to see how any effective ongoing review of this key piece of legislation can be undertaken without basic data on what information is being requested from particular agencies. In his comparative survey of FOI legislation in Australia, Canada and New Zealand Hazell, (1989, p. 199) simply states that in New Zealand "...there is little information about the use made of the legislation because no records are kept about the number of requests". He then quotes relevant published statistics from Australia and Canada.

While Hazell's twenty-page discussion reads like a study tour report, with no stated methodology or theoretical framework, it towers above most freedom of information 'research' in New Zealand. There appears to be only a handful of substantive published works on the OIA, with the most voluminous and thorough being by Eagles et al. (1992). These legal academics analyse the OIA section by section, and the finished work weighs in at over 600 pages. While it falls outside the general scope of this review and the competence of the reviewer, the standing and depth of the work requires some general comment. Their core work involves commentary on, and the placing of, specific sections of the OIA within the context of New Zealand and international case law and legal practice. However the first chapter provides an excellent introduction to the passing of the OIA and includes some useful comparative reporting on equivalent United States and Commonwealth legislation. While this level of information remains descriptive it appears very well referenced and informed. Another strength of such a detailed study is the integration of existing New Zealand information in a single volume. References to the Ombudsman's Case Notes are of particular value as these are probably the most detailed source of OIA practice available in New Zealand (see, New Zealand. Office of the Ombudsmen, 1981-).

In 1997 a long awaited government review of the OIA, by the New Zealand Law Commission, was completed under Justice Baragwanath. Although technically fulfilling its nine specific terms of reference, the review does little to demystify the activity surrounding the day to day workings of the Act, including the plight of the average requester. In the early stages of the review a questionnaire on use of the OIA was drawn up by the Law Commission but appears not to have been sent out to agencies (New Zealand. Law Commission, 1992; former Law Commission employee, personal communication, 13th September 2000).

The only small ray of hope in this area is a broad recommendation made under the Enforcement section that the Ministry of Justice should undertake responsibility for

"... functions of oversight, compliance, policy review, and education in relation to the Act" (New Zealand. Law Commission, 1997, p. 9). Most of these functions have previously been associated with the Information Authority or Office of the Ombudsmen, and a plea is made under the same section of the review for adequate funding for these ongoing activities in addition to the newer Justice role. It may be harsh to judge the review an overall failure given it's narrow scope but it may be some time before the OIA is reviewed again, hopefully in a more comprehensive manner and under an umbrella of FOI laws and government information policy.

Edward Poot's study of the impact of the OIA on the policy development process offers the best qualitative insight available to date (see Poot, 1997). His research is based both on a survey of agencies, and Minister's offices, and interviews with staff from three unnamed agencies. He also provides a good introduction to, and summary of, the key arguments for Open Government laws as a basis for improving participatory democracy, and relates these to the passage of the OIA (1997, chap. 3). The ability to generalise findings from the survey data is doubtful however, given response rates of 38% and 41% from Minister's and agencies respectively (Poot, 1997, p. 39). His research also suggests that the general public does not use the OIA well, compared to political parties and the media, and it was hoped to match this observation against available agency data on the categories of requester groups.

Another key piece of research on the effectiveness, or application, of freedom of information legislation in New Zealand is by another Master of Public Policy student at Victoria University, Elizabeth Brown (1995). Although the study focuses on a range of open government indicators at the Local Government level, part of it is dedicated to looking at how local Councils, Crown Health Enterprises and School Boards of Trustees deal with requests for information. Brown uses both survey questionnaires and follow-up interviews to try and find out how individual authorities and institutions are handling

requests for information, and also to discover something of the attitudes of Chief Executives and officials to open government practices.

While the survey return rate is high, the interviews are few in number and less representative of the total study population. They are also biased toward larger city centres, weaknesses that are acknowledged by Brown. Although the questionnaires and interview questions would, by their very nature, each qualify as being Official Information requests, this aspect is not made explicit in the methodology or description. One can only wonder what might be possible if some elements of this study were expanded and used at central government level. The well resourced but relatively unsatisfying review of the Act by the Law Commission (1997) could have been more usefully informed by Brown's Local Government study.

There have been efforts to bring together various experts and interested parties to discuss the OIA and the Legal Research Foundation's efforts are worth noting here. Their 1997 seminar papers cover a range of perspectives, including bureaucrats, journalists and lawyers. Journalist Alastair Morrison's (1997) paper is one of the few to highlight the lack of statistical data relating to requests and the reliance on the Ombudsmen's review figures (the number of complaints received from dissatisfied requesters) as the only hard facts available in this country. He also laments the common government practice of delaying the release of requested information, often well beyond the set 20 day limit. He notes that this effectively "turns off" many in the media from using to Act given that "The news media are interested in creating history not reporting it" (Morrison, 1997, p. 33). Other journalists and researchers provide a good body of information to assist those using the Act, but like Morrison their works tend to report various failures and shortcomings, along with the odd notable success (e.g. Fountain, 1994, Hager, 1996). The apparent lack of research by journalists in this area is of some concern. They would seem to be the professional group with potentially the most to gain from additional scholarship and creation of new knowledge on this topic.

United States, Canada, Britain and Australia

The most striking feature of overseas material relating to FOI is its sheer volume. In the United States at least, there seems to be a surfeit of lobby groups, organisations and experts publishing some fact and more opinion on FOI issues (e.g. the National Security Archive; Public Citizen; Project on Government Secrecy; OMB Watch; National Freedom of Information Coalition are some of the many active groups). The United States Electronic Freedom of Information Act 1996 (EFOIA) seems to have added to the debate while in the United Kingdom the 1994 Code of Practice and the recent passage of Labour's FOI Act have likewise increased public awareness and discussion.

In his survey of post-war United States Freedom of Information history, Unsworth (1999) follows the ebb and flow of government policies and practices. He identifies a range of federal government ploys to limit access to much unpublished information that appears similar to the range of delaying practices identified by Morrison (1997) and other requesters in New Zealand. A key part of his study looks at what happens with much declassified and released information and how some of it is eventually published by both non-profit and for-profit organisations. This is a key area of difference between the United States and countries such as New Zealand where Crown Copyright is retained on OIA released information.

Using an existing set of Office of Information and Policy guidelines Gordon-Murnane (1999) examines how well a total of 17 major United States government agencies have fulfilled key 1996 EFOIA requirements. Only one agency, the Department of the Interior, receives a 'pass grade' and the article concludes that for most agencies "The intent and purpose, may be there now, but the execution is not" (Gordon-Murnane, 1999, p. 17). A later OMB Watch survey confirms these results over a larger sample of 144 agencies finding that no agency fulfilled all of the 1996 amendments (OMB Watch, 2000, p. 3). Any internet based evaluation remains a snapshot of current practice and Gordon-Murnane's work boasts a simple method of applying an existing template, ten

government recommendations in this case, and comparing a relatively small number of internet sites. The true value of this or similar work would be in a comparative analysis over time and an expansion of the study to make it more representative of a huge range of agencies. As with the New Zealand work of Brown (1995) there needs to be more basic fact gathering or research done at this level before governments and societies can effectively discuss the impact of legislation, or fully inform policy and theory.

In the United Kingdom there are mixed reports about the potential of the long awaited Freedom of Information Act (Birkinshaw, 2000). However, the impressive amount of information gathering on the workings of the existing Code of Practice of 1994 may enable that country to effectively assess the impact and activity of requests on government agencies (United Kingdom. Home Office, 1998). The lack of equivalent New Zealand data seems an anomaly considering the number of years the OIA has been in force in this country and the tradition of government secrecy in Britain.

Recent Canadian FOI research is based on relatively detailed statistical information, especially at the federal level. In his studies, Roberts (1999, 2000a) draws heavily on agency request data made available under reporting requirements of the federal Access to Information Act. While his conclusions about the impact of recent government administrative reforms on FOI request use are sobering, they are at least founded on official statistics. Roberts makes explicit the connection between FOI performance a the agency level and the availability of across-government FOI statistics in observing that "Freedom of Information advocates have long underestimated the power of regular public reporting as a tool for promoting compliance by public institutions" (Roberts, 1999, p. 442). Canada's Information Commissioner would seem to agree and has gone to the effort of issuing 'report cards' for selected government departments, focussing on the percentage of requests received that were not processed within statutory deadlines. In a very lively Annual Report, he also draws attention to the standard of government record keeping as the foundation stone of effective FOI laws in stating the obvious truth that "If records about particular subjects are not created, or if they can not be readily located and produced, the right of access is meaningless" (Information Commissioner of Canada,

2000, p. 20). Some of the truncated New Zealand agency responses received in this study reinforce this concern about standards of FOI record keeping.

The Australian Freedom of Information Act of 1982 was reviewed in 1996 with statistics showing that the vast majority of requests were succeeding in full (77%) or in part (18%) (McDonagh, 1996). McDonagh argues that the main influences on Australian FOI legislation have been from a human rights based - democratic, & participatory - perspective rather than a 'commodity' or private information sector one. Her comments on the costs of using Freedom of Information Act are relevant internationally (1996, p. 7). Charges, or part-charges, delays, deletions and sketchy descriptions of information held by departments and agencies seem to provide individual and cumulative barriers regardless of the intent and detail of law (see Du-Fresne, 1996; Gordon-Murnane, 1999; Lafleur, 1998).

The general state of the FOI literature described above is characterised by discussion, commentary and critique. The amount of actual research outside more specialised fields, such as law, appears small both in quantity and scope. While the United States literature is substantial, much of it simply mirrors the descriptions of FOI failings elsewhere. The American debate does have the benefit of being rekindled by their Electronic Freedom of Information Act 1996, which promises, or threatens, to further blur the boundaries between access laws and dissemination of government information. Recent Canadian research gives cause for concern and reflection on the impact of government restructuring and economising on the health of FOI laws. Britain's FOI changes offer some promise but are very new and will require much testing and bedding in before any conclusions can be made about its effectiveness.

The research gap in this country is significant and requires both more basic data and interpretative work. This study extracts and presents relevant data from a range of OIA

agencies so that future research, and comparison with overseas studies, can be carried out. For until we know how current legislation is being used to fulfil its original objectives, reports of Sir Arnold's demise may remain purely anecdotal.

Chapter 3. Methodology

The approach taken for this study is essentially a quantitative one. The need to describe a fairly narrow range of request statistics and agency practices helped determine that a written survey was the most suitable method for the research. The study population also encouraged a written approach, assuming a reasonable level of literacy and form filling familiarity among government officials. Geographical distance from a Wellington based population made most other methods too expensive or impractical.

The explicit use of the OIA as part of the questionnaire also made written questions and responses desirable. While officials are bound by the legislation to treat verbal requests for information as being 'official', personal experience with bureaucracies led me to believe that the likelihood of a documented reply to a written questionnaire would be greater than for phone calls or conversations. In using the OIA to elicit responses to the questionnaire, a response rate exceeding the 72% reported by National Archives (1998), rather than the lower figures achieved by Poot (1997), was anticipated.

Written questionnaires allowed for a standardisation of format and consistency of questioning. The ability to post all the surveys on the same day also enabled easier measurement of whether the 20 working day response time has been adhered to.

Identification of data held by government agencies about their OIA activity was key to the success of this study. The lack of published research at the agency level made questionnaire development somewhat speculative but some of the qualitative work done by others, and complaint categories developed by the Ombudsman, provided useful pointers. The unpublished Law Commission questionnaire (1992) also assisted in question development.

Consistent with National Archive's 'Survey of records held in government offices' (1998), agencies were asked to provide a single response or return for records held nation-wide. This may have increased the probability of larger agencies requesting payment for collation of data. In practice it was tested at the pilot stage.

Research population

Both the pilot group, of 10, and the main sample of 50 were selected to cover a range of agency types. These were taken from the online Directory of Official Information (New Zealand. Ministry of Justice, 1999) and deliberately included those from different sectors. 'core' government (Ministries and Departments), State Owned Enterprises (SOEs), and 'other' Crown agencies. A majority of 'core' agencies, 30 from 39, and SOE's, 10 of 18, were included in the main sample. The 'other' 10 agencies were selected to cover a diversity of organisations, mainly chosen from the health, education and research sectors.

The few organisations listed in recent Ombudsmen's annual reports as having a significant number of complaints made against them were deliberately included e.g. Police, Work and Income NZ, and the Fire Service Commission. Organisations covered by the Local Government Official Information and Meetings Act legislation were not a focus of the study, although some come under the category of 'other' by virtue of being subject to both pieces of legislation (notably tertiary education institutions).

Instrumentation

The questionnaire (see Appendix B) was presented as a request for official information as distinct from a traditional 'optional' or informal survey. The covering letter explained the survey rationale and offered to make results available in electronic form to agencies indicating an interest via the questionnaire.

Questions were of a 'yes no', statistical, or short answer type. They focused on information reasonably expected to be held *and* retrievable by agencies. Opinions were not actively sought although space was made available for additional detail or comment following some questions.

Timeline

The study proposal was submitted in late September 2000 and ethics approval granted for the work in early October. Pilot questionnaires were fast-posted on October 8th and a generous 23 working days allowed for responses. The main sample of 50 was posted via surface mail on November 13th. A total response time of 30 working days was allowed for the sample given the likelihood of surface post delivery both ways. Follow-up e-mails were sent out to agencies who hadn't returned questionnaires in late December to early January and returned questionnaire data was entered, analysed and reported against the study questions over January and February 2001.

Pilot survey

The questionnaire and covering letter were fast-posted to10 agencies. The pilot was of particular importance in indicating whether the requested information was likely to be identifiable by most agencies. The possibility of agencies requesting time extensions or payment was also checked as part of the pilot responses.

The key response data from the pilot is presented in Appendix A. It should be noted that one site was incorrectly identified as being covered by the OIA, effectively reducing the sample total to nine agencies. Pilot results were generally encouraging with eight out of nine questionnaires returned, seven within the statutory time limit. No agency requested payment or time extensions and several returns included comments on the questionnaire or covering letter to clarify or expand on some of the answers. Only minor adjustments were made to the wording of the main sample questionnaire as a result of the pilot, to

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questions 4 and 9. Question 9 was reworded to boost the potential number of replies, and increase the likelihood of agencies supplying printed request summaries. No questions were deleted or added to the survey following the pilot and the covering letter was unchanged.

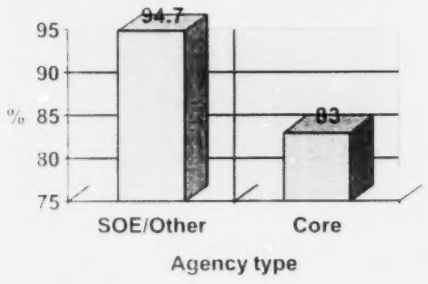
Chapter 4. Data analysis

The sample data presented below represents agency information received as at January 15th 2001. Some agencies were still in the process of compiling questionnaire responses at this time.

Responses by agency type *(Table 1)*

	Requests Sent	Responses received	Received in 20 working days	Questionnaires returned
Core	30	30	25	25
SOE	10	10	09	09
Other	09	09	09	07
Total	**49**	**49**	**43**	**41**

Responded in 20 working days (%)



Comments

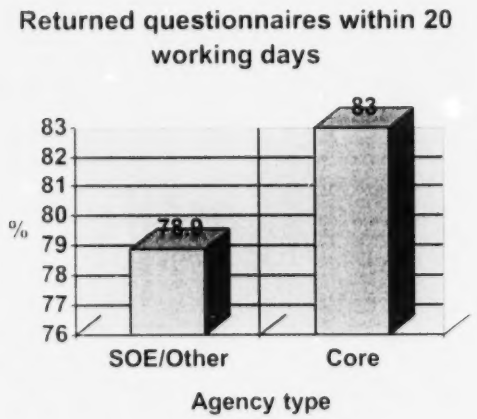
Responses were not received within 20 working days from the following agencies:

A total of 50 questionnaires were posted out but the response of the Office of the Ombudsmen has been excluded from the results as the Act states that the office is not bound' by the OIA. The Office is, confusingly, also listed in the Ministry of Justice's Directory of Official Information.

Agriquality New Zealand, Crown Law Office, Work and Income New Zealand, New Zealand Police, Department of Internal Affairs, Inland Revenue Department.

Two health sector agencies provided noteworthy responses. Northland Health offered "to research and answer your request at a charge of $30 per hour." They estimated 3-4 hours work for this. Capital Coast Health replied that they would try to send a reply "no later than December 19th", and advised that delays could be "caused for a number of reasons". No reply was received as of January 15th and no reasons for delay were given.

A questionnaire return rate of 83.6% would be the envy of many researchers but the replies must be measured against the requirements established by the well known legislation, which includes a generous statutory response time – 20 working days. Two of the responses received within the specified limit were the less than helpful health sector replies above and a third agency failed to return the questionnaire, referring the writer instead to other agencies who might hold such records on their behalf. Excluding these ineffective responses the number of usable questionnaires received within the allowed time was 40 (81.6%).There is obviously the possibility that some agencies did not receive the questionnaires but all had clear return address labels and the postal addresses were later checked for accuracy.



Questions 1 and 2 *(Table 2)*

Does your organisation receive requests for information under the Official Information Act?

Does your organisation hold any information about requests received by it under the Official Information Act?

	Receive OIA requests	**Hold request information**
Core	25	23
SOE	09	06
Other	06	04
Total	**40**	**33**

Comments

All agencies that returned questionnaires responded that they receive OIA requests, with the exception of Taranaki Polytechnic whose response was 'don't know'.

Given this high overall level of request receipt the lower figure for question 2, those holding 'any information about requests', is of some significance. It raises the question of how agencies holding 'no information' about their OIA requests manage those requests, including correspondence, filing and archiving. One such agency, Statistics New Zealand, commented that it's customised statistics "do not qualify as "official information" " and was not able to provide any statistics to summarise the few OIA requests it does receive. Other agencies, particularly the SOE's, seem to have interpreted question 2 quite narrowly assuming that the 'holding of information' excluded documents or information held on subject, correspondence and case files.

Questions 3 and 4(b) *(Table 3)*

Do you record the total number of requests received?

Please list total requests received each year ending June 30th for the years listed below (from 1990 onward).

	Record totals	**Recorded from 1990**
Core	19	04*
SOE	01	00
Other	03	00
Total	***23***	***04***

Comments

Fifty six percent of agencies that returned questionnaires reported that they record request totals. This result answers one of the key study questions, 'how much use is made of the OIA?' with a fairly emphatic 'don't know', as this information is not widely recorded. While most core agencies could provide request totals only Meridian Energy could supply a total from the SOE's. The highest recorded request number was from Ministry of Health, 513 for the 1999/200 year. At the other end of the scale Terralink advised that only 2 requests had ever been received. The average number of requests for all agencies reporting totals is 101 and for core agencies the average is 114.

Requests totals from1990 onwards were available from just 4 core agencies, and one of these had no records from 1992-1996. A more complete historical record might have helped measure the impact of the Privacy Act on use of the OIA, given that many requests were previously requests for personal information (see New Zealand. Information Authority, 1985).

Questions 5, 6 & 7 *(Table 4)*

Do you record the following details about official information requests (categories)? Does your organisation record the outcome of individual requests for information? Which of the following request details are recorded?

	Categories	**Outcomes**	**Details**
Core	06	13	21
SOE	01	01	02
Other	02	02	02
Total	**09**	***16***	***25***

Comments

Question 5 is the 'who' question, seeking to establish if requesters were being identified in groups, or categories, similar to complainant categories published by the Ombudsmen. A positive response might have meant that claims of decreasing use of the FOI laws by the media (see Doyle, 2000, for U.S. trends), or of high use by political parties could be verified or disproved, and comparisons with overseas research made. With a total of only nine agencies recording requester categories the evidence remains effectively hidden.

Questions 6 and 7 attempted to discover what details about requests are recorded by agencies. Several of the 16 agencies which do record request outcomes (question 6) added comments to clarify that they recorded this information on individual files, as opposed to a central database or register. The National Library went to the effort of contacting the writer to discuss this question before returning the questionnaire (one of two agencies to seek guidance in completing the survey).

Responses to question 7 show the number of agencies recording other specified details about requests. These data lay the groundwork for follow up studies seeking detail or description of what information is being released under the OIA. For example, where

agencies describe released information in the form of a database record, there is potential for such descriptions to be made more widely available as a finding tool for others interested in the same, or similar, information. Indeed, if our FOI laws were to follow the example of the1996 U.S. legislation, government agencies would be required to disseminate this descriptive information for frequently requested material (see the following health sector initiatives for an example of what has been achieved in OIA dissemination. **http://www.hfa.govt.nz/DisplayList.cfm?PubTypeID=OIAReleases** and **http://www.moh.govt.nz/moh.nsf/wpgIndex/Publications -Online+Publications+Contents**). Core agencies are more than twice as likely than SOE's or others to have recorded some request details.

Question 8 *(Table 5)*

How is request information recorded?

	File based	**Paper based register**	**Database or software**	**No response**
Core	01	06	18	02
SOE	01	03	00	05
Other	00	01	02	04
Total	**02**	***10***	***20***	***11***

Comments

Question 8 served as a check on how information is recorded by agencies, including levels of reliance on paper based and electronic record keeping systems. The observation that electronic records are now a 'central feature of the record keeping landscape' (National Archives of New Zealand. Statutory Regulatory Group, 1999) was largely confirmed by core agency results, but of the four SOE's who answered this question none were recording request information electronically. With two exceptions (Treasury and

Ministry of Education) all agencies using software or databases reported use of fairly standard programmes such as Microsoft Access, Excel, Word, or Lotus Notes.

Question 9 *(Table 6)*

If request summaries or metadata are held please provide printed copy of such for the 3 most recent requests received by your organisation ***(excluding names of requesters).*** *If printouts are unobtainable please explain why.*

	Summaries
Core	12
SOE	00
Other	01
Total	**13**

Comments

The ability of agencies to produce printed copy of request information was inserted as a check on earlier questions about request details recorded, and on the ability of agencies to produce print output from information held in electronic form. Where agencies recorded details and held information electronically the production of a title, description, or some form of request metadata should have been fairly simple. However only 13 of the 20 agencies (65%) using some form of electronic record keeping produced a printout as requested. One agency appears to have forgotten to include the information, while the Ministry of Health replied that this information was 'not held', adding, "all information held online". Other print outs were impressive with the Education Review Office, Treasury, Customs, and Ministries of Education and Maori Development providing useful descriptive material. Outside of the core agencies only Christchurch Polytechnic Institute of Technology produced printed information, as part of its quick and detailed

overall response. One agency (National Library) also provided a photocopy of the paper register it used to record requests.

Question 10 *(Table 7)*

Does your organisation have a handbook, manual or standard operating procedures for dealing with OIA requests?

If yes, what is this called?

	Procedures
Core	26
SOE	06
Other	04
Total	**36**

Comments

With the OIA in it's 18th year and the Office of the Ombudsmen's Practice Guidelines now more readily available (http://www.ombudsmen.govt.nz) question 10 was designed to check what additional documented procedures agencies have in place for dealing with requests. The Ombudsmen's latest annual report identifies proper 'information-handling strategies' as important in enabling agencies to operate effectively in the official information environment (2000, p. 18). The Ombudsmen also raise OIA staff training as an outstanding issue, and documentation of procedures can help both with training and with consistent application of the Act.

Almost all core agencies confirmed that they have some sort of manual, handbook or standard operating procedures for dealing with requests, with the Ministry of Fisheries the only negative core response. The response from the rest of the sample was of concern

with only ten of sixteen agencies who returned questionnaires confirming they hold this documentation. In the absence of any procedures the ability of agencies to apply the broad principles or specific detail of the Act in an efficient or effective way has to be questioned.

Chapter 5. Discussion

Research questions

The research questions described above fall into two distinct categories – those about use of the Act and those about management of request records. A key part of this study's rationale was discovering the existence and availability of agency OIA request data. The greater the extent of retrievable information proven to be held, the less we have to rely on opinion and 'impressions' (New Zealand. Office of the Ombudsmen, 2008, p. 20) about how the Act is actually being used – who uses it, how much they use it, and what information they receive via it. The questions are hardly original but they remain important. The Law Commission thought them relevant enough to draw up a similar questionnaire at the beginning of the Act's protracted review and both local and overseas commentators have noted the absence of published request information (e.g. Hazell, 1989; Morrison, 1997).

While the sample size of 50 doesn't provide very complete coverage of over 260 agencies listed in the Ministry of Justice's directory, it does include most of the core agencies (79%), and SOE's (55%). Supplemented by the results of a virtually identical pilot study the sample responses can be seen as representative of these sectors.

Use of the act

Study results reveal an absence of comprehensive OIA usage statistics across core government and SOE's. Where totals could be provided by most core agencies this record went back, in most cases, only a few years. Statistical comparison with most of the 'complaint' agencies identified by the Ombudsmen's recent reports (WINZ, IRD, Police and the Fire Service Commission) was frustrated by responses being received late or not at all. Of these agencies only the Fire Service Commission's response was received in time to include in the study[2].

Who is using the OIA?

Information about how much the act is being used may be patchy but responses about who is requesting information were even scarcer. Agencies were generally unable to confirm trends in the literature estimating high use by particular groups or categories of requesters. This is because the information is not held by most agencies (79%), or is available only on individual subject or correspondence files and not readily accessible. This leaves unanswerable most questions about the proportion of various groups of requesters, or requesters as a whole, who end up seeking the assistance of the Ombudsmen. Until this level of information is recorded and made available, it will be difficult to evaluate the effectiveness of the OIA. Without data available to identify how requesters are faring in their interactions with agencies it is perhaps impossible to produce informed commentary or discussion about the general health of the Act. As Roberts points out, 'such scrutiny may be most important at times of government restructuring or reforms, and during periods of significant political change (Roberts, 2000a, p. 317).

[2] It showed that a majority of requests received by it in the 1999-2000 year had been the subject of complaints to the Ombudsmen.

Request outcomes and details.

The recording of request outcomes across government could help measure average response times, frequency of refusals and deletions and other basic indicators. In its Report, for example, the Law Commission recommended that the statutory-time limit for agency response be reviewed "with a view to reducing it to 15 working days" (1997, p. 7). However, if accessible information about their ability to respond within a given time isn't recorded by many agencies in a centralised system, it is difficult to estimate whether a 15 day standard is being met, and if so, how often.

In terms of the recording of other request details, there is certainly the potential for most core agencies to compile and disseminate reports or descriptions about *what* information is being requested from them. Production of this richer request detail could be aided if appropriate software was used by a majority of core agencies to record their request information. Making available this information could be one means of enhancing participation, or 'engagement', by citizens in the processes of government as envisioned by the e-government programme (see http://www.ssc.govt.nz/documents/egovt.htm).

"Government departments are stewards of Government-held information, and it is their responsibility to implement good information management" (New Zealand. State Services Commission, 1997, v). Several of the survey questions (7-10) sought details about records and information management detail and practices, and about the documentation of request procedures. Official information that is not captured and maintained in effective record keeping systems can "threaten the viability of rights to access it" (Information Commissioner of Canada, 2000, p. 20). The latest report from the Ombudsmen (2000) and a National Archives study (1998) note the increase in, or prevalence of, electronic record keeping and this study provides some recent figures about the format that OIA records are held in. Results from core agencies suggest that e-government, with electronic record keeping at its foundation, is still very much a work in progress. Only 48.7% of agencies that responded record request information in electronic

format (table 5), and not all of these were able to produce printed copy of such when requested.

A number of initiatives have been made in recent years to encourage good information management in the public sector. The National Archives' Electronic Records Policy was published in 1997 and designed in part "to ensure that future generations retain the ability to access and scrutinise the decisions of government and its agencies"(National Archives of New Zealand, 1997, foreword). Evolving data management standards and polices are also being promoted by the e-government Unit but responsibility for effective enforcement or auditing of these remains unresolved. Perhaps the time is right to consider the merits of an Information Management Act, as promoted recently in Canada – "...designed to regulate the entire life cycle of government-held information" (Information Commissioner of Canada, 2000, p. 22).

The lack of documented request procedures or manuals held outside of core government agencies presents an impediment to effective implementation of the Act by SOE's and some other agencies. The Ombudsmen have recently found reason to make public comment on the inadequacy of the OIA operating manual of a large Department (2000, pp. 4-5). The reported absence of any such procedures across a number of sample agencies should be of even greater concern.

The study methodology placed the writer in the position of being both requester and surveyor. While not one of the primary research objectives, some experiences as requester are noteworthy, given that they add descriptive detail to the range of statistics presented and can be related to OIA user experiences from the literature.

The most lasting impressions are of a huge range of response times and levels of assistance offered by agencies. One complete and detailed sample response was received within four days of posting, while a pilot agency was being contacted for the fifth time, via the Ministers Office, in a late bid to receive an acknowledgement of any kind (see Appendix A). This last attempt was e-mailed more than 3 months after the first request was posted.

The majority of sample requests were received comfortably within 20 working days and over half of returned questionnaires met the Law Commission's recommended reduced timeframe of 15 working days. However two agencies responded outside the 20 day limit without asking for time extensions, or having supplied any explanation or apology. Other agencies posting responses toward the end of 20 days failed to complete the questionnaire as requested, or answered a minimal number of questions if they did, appearing to confirm that for some, 20 days has become more a benchmark than an outer limit. These delays and omissions certainly support some media commentators' frustrations with the operation of the Act (see Du-Fresne, 1996; McLoughlin, 1993). Most reporters and individuals would be unlikely to have weeks or months to chase up responses to overdue OIA requests. Concerns about request time delays have been publicised by our Ombudsmen for well over a decade (1988, p. 20; 2000, pp. 23-24).

The exceptional response from Northland Health has been covered above and their request to the writer, to pay $30 per hour for the 'substantial amount of work involved' to complete the questionnaire, was not taken up. It was the only agency from either the sample or pilot study to ask for payment.

The overall response from core agencies who returned questionnaires appeared reasonable with most either answering the majority of questions or making an attempt to do so. Core agencies were the only ones to seek clarification of request questions and several also provided written acknowledgement of receipt of the request. Noteworthy for

the fullness of responses or level of assistance offered were Treasury, Education Review Office, the Ministries of Defence, Justice, Health, Agriculture and Forestry, Foreign Affairs and Trade, Environment, Education, Women's Affairs, Te Puni Kokiri, Youth Affairs, the Department of Prime Minister and Cabinet, National Library and Christchurch Polytechnic.

Non-core agencies were less likely to return questionnaires, acknowledge receipt or answer questions in full, with SOE's and health sector agencies providing some of the briefest and least informative responses. Most SOE and 'other' responses were returned under the signature of legal staff or CEO's, while this was the case with only three core agencies.

Several areas of future survey work and research relating to the OIA readily follow on from the results of this study. More detailed information about the ability of agencies to generate accessible descriptive detail from existing request records would be a useful start. This could help determine how dissemination of request information might be achieved, either by agencies themselves or by requesters seeking to progressively make such information more available. The reported results from questions 8 to 10 raise questions about record keeping standards across core agencies and SOE's. More detailed and up to date information from across government, and similar to that collected by National Archives in the past, might suggest whether the results of this survey are representative of government record keeping practises. The survey could obviously be expanded to cover all agencies covered by the Act and, perhaps most importantly, could include Ministers' Offices (a source of considerable complaint as reported in the Ombudsmen's reports).

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Chapter 6. Conclusions

Both the local and overseas literature identifies the need for ongoing co-ordination, audit and oversight of FOI laws. In the U.S., watchdog, media and pressure groups have continually pressured government agencies to comply with the letter and spirit of their FOI legislation. These efforts have been renewed with the passage of legislation that attempts to move beyond an information-discovery based law toward one that utilises new technology to disseminate government information. In Canada, the recently announced review of their federal FOI legislation and the activity of the Information Commissioner suggest that freedom of government held information will be a key part of future policy initiatives. Our Ombudsmen continue to advocate for measures that would develop "an official information culture"(2000, p. 19), and the Law Commission's 1997 Review identified public sector OIA education, training and co-ordination as outstanding issues.

Results from this study support the need for such initiatives in New Zealand. Whichever agency is to be responsible for co-ordination of OIA policy across government, there is a need for mandated data gathering and reporting at the agency level where there is none at present. Effective laws require effective monitoring and evaluation beyond that offered by our main OIA watchdog, the Office of the Ombudsmen. Robert's arguments in support of FOI audit systems that are more than simply complainant or incident based are equally relevant in the New Zealand context. There is a need to raise debate and commentary about the Act above individual experiences and frustrations and instead discuss its place in assisting in the development of a progressive national information policy. The agency best placed to lead this discussion and development is surely the State Services Commission (SSC). The SSC is able to organise the broader co-ordination and policy development areas, and is also empowered to ensure that the OIA continues to be relevant in an age of government electronic record keeping.

"Citizens have come to expect that public institutions will maintain effective FOI systems, and are unlikely to concede the legitimacy of institutions that fail to do so" (Roberts, 1999, p. 445). The results of this study show that a majority of agencies sampled maintain only the most basic of record keeping systems for dealing with OIA request information, effective or otherwise. As the OIA approaches it's 20th anniversary it is timely to reflect on the Act's overall health in its present form, and to plan and implement policies that continue to realise its original progressive intent.

Word count — 9628

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Appendix A

Pilot study responses.

	Sent	Responses received	20 working days	Records number
Core	4	4	3	3
SOE	2	2	2	1
Other	3	2	2	1
Total	**9**	**8**	**7**	**5**

With no responses received from Department of Conservation (DOC) and Crown Company Monitoring Advisory Unit (CCMAU) follow-up e-mails were sent in November. A return was eventually received from DOC but not from CCMAU as of January 15th (a copy of the e-mail was later posted to them as additional follow-up). Although most agencies recorded request totals for the 1999/2000 year, none was able to provide totals back to 1990, and only one for years prior to 1998. Two respondents advised that earlier totals were held but, in one case, would "require an undue amount of time and effort" to retrieve from paper files and were 'not readily available' from the other. The most complete returns were provided by agencies using a computer database or other software to record OIA request information.

Appendix B

Official Information request.

Please complete the 10 questions below by ticking the relevant boxes and providing the details requested.
Please provide a single return covering your OIA records held nation wide

1. *Does your organisation receive requests for information under the Official Information Act?*

☐ **Yes.**
☐ **No**

☐ **Don't know.**
Please refer this questionnaire to the organisation's CEO or legal staff if not checked by them already.

2. *Does your organisation hold any information about requests received by it under the Official Information Act?*

☐ **Yes** - go to question 3

☐ **No** - go to question 9

3. *Do you record the total number of requests received?*

☐ **Yes**
☐ **No** Go to question 5

4. *If 'Yes' what was the total number of recorded OI requests for:*

Year ended June 30th 2000.....

Please list total requests received each year ending June 30th for the years listed below.

1998 .....

1997 .....

1996 .....

1995 .....

1994 .....

1993 .....

1992 .....

1991 .....

1990 .....

5. *Do you record the following details about official information requests?*

Category of requester (tick one).

☐ **Yes.**
☐ **No.**

If 'Yes' please tick any of the recorded categories that match from this list, or name the category:

☐ News media;

☐ Individuals;

☐ Members of Parliament and party research units

☐ Researchers

☐ Companies or businesses

☐ Special interest groups

☐ Government departments organisations.

☐ Other categories (please name).

.....

.....

.....

6. *Does your organisation record the outcome of individual requests for information?*

☐ Yes

☐ **No** Go to question 7

If yes please tick which of the following are recorded.

☐ Whether deletions were made to any information released.

☐ Whether information was charged for.

☐ Whether any information was withheld under sections of the OIA.

☐ Whether conditions were attached to the release of information.

☐ Whether your Minister's Office was consulted about the request.

7. *Which of the following request details are recorded?*

☐ Detail or description of the information requested.

☐ Name of the requester.

☐ Who authorised, or signed out, the release of information.

☐ Format information was released in, - paper copy, computer disk, sound recording, e-mail, for example.

8. *How is request information recorded?*

☐ Computer database or software. (Please name software application(s))

.....

.....

.....

☐ Paper based index or register.

☐ Other (Please specify).

.....

.....

9. *If request summaries or metadata are held please provide printed copy of such for the 3 most recent requests received by your organisation* ***(excluding names of requesters).***
If printouts are unobtainable please explain why.

.....

.....

.....

10. *Does your organisation have a handbook, manual or standard operating procedures for dealing with OIA requests?*

☐ Yes
☐ No
☐ Don't know.

If yes what is this called? .....

.....

Please provide your name and position title for any further assistance or questions about OIA requests in your organisation.

Name:

Position:

E-mail address:

Tick here if you would like to receive an electronic copy of the completed research project.
☐

Xx xxxx 2000

Dear Sir Madam

Official Information Act request.

I am submitting this official information request, in questionnaire format, to gather data for a research project. The project is part of a Master of Library and Information Studies at Victoria University.

The objective of this research is to provide base line request data from a range of government agencies to help measure use of the Act.
The questions ask you to provide information about requests made to your organisation under the Official Information Act and about the creation and maintenance of information about those requests.

Results will be compared to information published by the Office of the Ombudsmen and some analysis made of responses by different categories of agencies.

The questionnaire has been approved by the Human Ethics Committee at Victoria University.

A copy of the completed study will be placed in the library at Victoria University of Wellington and I will also make the results available in electronic copy, as a Word document, to those agencies indicating an interest on the questionnaire.

Please provide a single return covering your OIA records held nation wide.

Thank you for your assistance with this research.

Yours sincerely

Dave Clements

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001 6341453
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100 1 Clemens, Dave Andrew.
245 10 Requests made under the Official Information Act 1982 :$ba survey at the agency level : submitted to the School of Communications and Information Management Victoria University of Wellington in p artial fulfilment of the requirements for the degree of Master of Library and Information Studies /$cby Dave Andrew Clemens.
260 $c2001.
502 Research paper (M.L.I.S.)--Victoria University of Wellington, 200 1
504 Includes bibliographical references.
610 10 New Zealand.$tOfficial Information Act 1982.
650 0 Freedom of information$zNew Zealand.
650 0 Administrative agencies$zNew Zealand.
830 0 Research papers.$pLibrary and Information Studies.$pM.L.I.S. (Vic toria University of Wellington)
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